



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

20 July 15, 2014

Sachi A. Hamai

SACHI A. HAMAI
EXECUTIVE OFFICER

July 15, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ORDINANCE AMENDING TITLE 2 - ADMINISTRATION OF THE COUNTY CODE
TO DELEGATE AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS
TO PURCHASE REAL PROPERTY;
RESOLUTION OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO DELEGATE AUTHORITY TO THE CHIEF ENGINEER
TO PURCHASE REAL PROPERTY
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to approve an Ordinance amending Section 2.18.025 of the Los Angeles County Code to delegate authority to the Director of Public Works or the Director's designee to purchase real property interests where the purchase price is \$75,000 or less on behalf of the County of Los Angeles.

This action is also to adopt a resolution, on behalf of the Los Angeles County Flood Control District, delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or the Director's designee to purchase real property interests where the purchase price is \$75,000 or less on behalf of the Los Angeles County Flood Control District.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE COUNTY OF LOS ANGELES:

Approve for introduction an ordinance amending Section 2.18.025 of the Los Angeles County Code to delegate authority to the Director of Public Works or the Director's designee to purchase real property interests on behalf of the County of Los Angeles where the purchase price does not exceed \$75,000.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

Adopt a resolution delegating authority to the Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, or the Director's designee to purchase real property interests on behalf of the Los Angeles County Flood Control District where the purchase price does not exceed \$75,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Board previously delegated authority to the Director of Public Works to purchase real property interests on behalf of the County of Los Angeles where the purchase price did not exceed \$75,000. In accordance with State law, this delegated authority is subject to expiration every five years unless renewed.

The purpose of the recommended actions is to renew this delegated authority for another five years, through and including July 31, 2019.

The Board, acting as the governing body of the Los Angeles County Flood Control District (LACFCD), also delegated authority to the Director, acting as the Chief Engineer of the LACFCD, to purchase real property interests on behalf of the LACFCD where the purchase price did not exceed \$75,000. Unlike the delegation of authority in regard to the purchase of real property interests for the County, the delegation of authority to purchase real property interests for the LACFCD is not subject to periodic expiration.

The purpose of the recommended actions is to continue this delegated authority of the Director, acting as the Chief Engineer of the LACFCD, and to clarify that the delegation is not subject to periodic expiration.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan Goal directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). This action will enable the County and the LACFCD to improve effectiveness and enhance customer service by expediting the acquisition of rights of way and processing payments. This action will reduce the number of instances the Board will have to act regarding minor transactions involving the acquisition of right of way or other real property interests that are valued at \$75,000 or less for County projects or purposes.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

There will be some administrative cost savings attributable to the streamlined approval process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The delegation of authority to purchase property on behalf of the County is authorized by Government Code Section 25350.60, which provides:

- (a) The board of supervisors of a county may, by ordinance, authorize a county officer it deems appropriate to perform any or all acts necessary to approve and accept for the county the acquisition of any interest in real property.
- (b) The authorization shall specify procedures for the exercise of the authority by the officer so designated and shall establish a dollar limit on any purchase price.
- (c) A county officer's authority granted by ordinance under this section may not be effective for more than five years.

The delegation of authority to purchase property on behalf of the LACFCD is authorized by Sections 3 and 16 of the Los Angeles County Flood Control Act, which provide that the Board may adopt reasonable rules and regulations to facilitate the exercise of its powers and duties under the Act and to provide for the administration and government of the LACFCD.

Public Works has an ongoing need to acquire rights of way for Public Works projects involving the County and the LACFCD.

The enclosed Ordinance and Resolution documents have been approved by County Counsel as to form.

ENVIRONMENTAL DOCUMENTATION

Adoption of the Ordinance and Resolution documents is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378 (b) of the State CEQA Guidelines. This proposed action is an administrative activity of government, which will not result in direct or indirect physical changes to the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action allows minor property acquisitions valued at \$75,000 or less to be expedited, minimizing delays in associated construction projects and other County purchases.

CONCLUSION

Please return one adopted copy of this letter and the Resolution document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT DELEGATING AUTHORITY TO THE CHIEF ENGINEER TO PURCHASE REAL PROPERTY NOT EXCEEDING \$75,000

WHEREAS, Section 2, subsection 5, of the Los Angeles County Flood Control Act authorizes the Los Angeles County Flood Control District to acquire lands, rights of way, easements, privileges, and property of every kind necessary or proper to carry out any of the objects or purposes of the District; and

WHEREAS, Sections 3 and 16 of the Los Angeles County Flood Control Act authorize the Board of Supervisors of the Los Angeles County Flood Control District to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties and to make and enforce all needful rules and regulations for the administration and government of said district, and to perform all other acts necessary or proper to accomplish the purposes of the act; and

WHEREAS, the delegation of authority to the Chief Engineer of the Los Angeles County Flood Control District to acquire real property, or any interest therein, on behalf of the District under the limited circumstances described below, would enable many acquisitions to be completed more quickly and with less administrative costs to the District.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, HEREBY RESOLVES AS FOLLOWS:

The Director of Public Works of the County of Los Angeles, acting as the Chief Engineer of the Los Angeles County Flood Control District, or the Director's designee, is authorized to perform all acts necessary to acquire, on behalf of the Los Angeles County Flood Control District, any real property or interest therein where the purchase price for such real property or interest therein does not exceed \$75,000.00, in accordance with the provisions of subsections A through G of Section 2.18.025 of Title 2 of the Los Angeles County Code.

The foregoing resolution was on the 15th day of July 2014, adopted by the Board of Supervisors of the County of Los Angeles acting as the governing body of the Los Angeles County Flood Control District.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By

A handwritten signature in blue ink, appearing to read "Sachi A. Hamai", written over a horizontal line.

Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By

A handwritten signature in blue ink, appearing to read "John F. Krattli", written over a horizontal line.

Deputy